

Appl. No. 09/991,209
Docket No. GC48-2

IN THE CLAIMS

The claims as currently presented and under consideration, are presented below.

Claims 1 - 2. (Cancelled)

3. (Currently amended): ~~The plant of claim 2, wherein the polynucleotide is~~ A transgenic plant comprising an expression cassette comprising a promoter operably linked to an *Aspergillus niger* ferulic acid esterase FAE1 encoding polynucleotide and a signal sequence that targets expression of the ferulic acid esterase to the endoplasmic reticulum, vacuole, apoplast or golgi apparatus, wherein the transgenic plant is selected from the group consisting of Festuca, Lolium, Sorghum, Zea, Triticum, Avena and Poa and said transgenic plant expresses the ferulic acid esterase having ferulic acid esterase activity.

4. (Original): The plant of claim 3, wherein the polynucleotide encodes a ferulic acid esterase with an altered glycosylation site.

5. (Original): The plant of claim 3, wherein the polynucleotide encodes a ferulic acid esterase with a substitution so that glycosylation is altered.

6. (Original): The plant of claim 3, wherein the polynucleotide further comprises a polynucleotide that encodes CTWPVAAA (SEQ ID NO: 93) at the 3' end.

7. (Original): The plant of claim 3 wherein sub-optimal codons are modified to *Triticum spp.* preferred codons.

8. (Currently amended): ~~The plant of claim 4~~ claim 3, wherein the expression cassette is introduced into the plant by sexual reproduction.

9. (Currently amended): ~~The plant of claim 4~~ claim 3, wherein the promoter is an inducible promoter.

10. (Original): The plant of claim 9, wherein the promoter is a senescence promoter.

11. (Original): The plant of claim 9, wherein the promoter is a heat shock promoter.

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12. (Currently amended): The plant of ~~claim 4~~ claim 3, wherein the promoter is a constitutive promoter.

13. (Cancelled)

14. (Currently amended): The plant of ~~claim 4~~ claim 3, wherein the signal sequence is upstream of the 5' end of the ferulic acid esterase encoding polynucleotide.

15. (Previously presented): The plant of claim 14, wherein the signal sequence is derived from the signal sequence of a vacuolar targeted gene.

Claims 16 - 17. (Cancelled)

18. (Previously presented): The plant of claim 15, wherein the signal sequence is derived from the signal sequence of a vacuolar targeted senescence gene.

19. (Previously presented): The plant of claim 18, wherein the signal sequence is a *Lolium See1* signal sequence.

Claims 20 - 22. (Cancelled)

23. (Currently amended): The plant of ~~claim 4~~ claim 3, wherein the signal sequence is from *Aspergillus niger* ferulic acid esterase.

Claim 24. (Cancelled)

25. (Currently amended): The plant of ~~claim 4~~ claim 3, wherein the signal sequence is downstream of the 3' end of the ferulic acid esterase encoding polynucleotide.

Claim 26. (Cancelled)

27. (Previously presented): The plant of claim 25, wherein the polynucleotide sequence further comprises a stop codon.

28. (Previously presented): The plant of claim 25, wherein the polynucleotide sequence further comprises an extension of the ferulic acid esterase reading frame to provide a linker to KDEL (SEQ ID NO: 97).

29. (Currently amended): The plant of ~~claim 4~~ claim 3, further comprising a second expression cassette comprising a promoter operably linked to a xylanase encoding polynucleotide.

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30. (Original): The plant of claim 29, wherein the xylanase encoding polynucleotide is from *Trichoderma reesei*.

31. (Original): The plant of claim 29, wherein the first and second expression cassettes are present on separate plasmids.

32. (Currently amended) The transgenic plant of ~~claim 4~~ claim 3, wherein the plant is selected from the group consisting of Festuca, Lolium, Zea and Avena.

33. (Original): The transgenic plant of claim 32, wherein the plant is a Festuca plant.

Claims 34 - 74. (Cancelled)

75. (Currently amended): A transgenic ~~forage~~ plant comprising an expression cassette including an inducible or tissue specific plant promoter operably linked to an *Aspergillus niger* ferulic acid esterase FAE1 encoding polynucleotide wherein the transgenic plant expresses the ferulic acid esterase having ferulic acid esterase activity and wherein said transgenic plant is selected from the genera consisting of Festuca, Lolium, ~~Sorghum~~, Zea, Triticum, and Avena, ~~and~~ Pea.

76. (Canceled)

77. (Previously presented): The transgenic plant of claim 75, wherein said plant is a Festuca plant.

78. (Previously presented): The transgenic plant of claim 75, wherein said plant is a Lolium plant.

79. (Previously presented): The transgenic plant of claim 75 further comprising an exogenous xylanase gene.

80. (New): The transgenic plant of claim 3, wherein the plant is a Lolium plant.

81. (New): The transgenic plant of claim 3, wherein the plant is a Zea plant.

82. (New): The transgenic plant of claim 81, wherein the Zea plant is *Zea mays*.

83. (New): The transgenic plant of claim 3, wherein the plant is an Avena plant.